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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/581,885 09/14/00 JAKARA

J 3229-4003

MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

IM22/0328

EXAMINER

ALVO, M

ART UNIT

PAPER NUMBER

1731

DATE MAILED:

03/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/581,885

Applicant(s)

JAKARA et al

Examiner

Steve Alvo

Group Art Unit

1731



☒ Responsive to communication(s) filed on Jun 19, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as obvious over HEBBEL.

HEBBEL teaches bleaching pulp in a 5-stage bleaching process (Example VIII) starting with a per-compound, e.g. peracetic acid, and ending with a final (post bleaching) per compound bleaching stage. HEBBEL further teaches that a magnesium sulphate (alkaline earth compound) can be used as a complex builder or stabilizer. HEBBEL further teaches that a peracid could be used as the per compound, e.g. peracetic acid. It would have been obvious to use the peracetic acid of HEBBEL as the per compound. It would have been obvious to the routineer that after the first 4 stages of HEBBEL the brightness would be above 85% ISO and a kappa number less than 4 as HEBBEL teaches that after 4 stages the brightness is over 90% MgO (Example VII). See column 2, lines 45-49 for using 0.5 to 10 weight percent per compound. It would have been obvious to bleach the pulp at any point where pulp is normally bleached, e.g. flow pipe, storage tower or on the paper machine. Claim 6 is rejected as it would have been obvious to use other alkaline earth metal salts for the Mg of HEBBEL, see HEBBEL, column 3, line 34, for using Ca(OH)_2 as the complex builder.

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Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over HEBBEL as applied to claim 1 above, and further in view of FOSSUM et al.

FOSSUM et al teaches the alternativeness of using alkaline earth sulfates and carbonates as a complex builder (chelating agent) or stabilizer in per acid bleaching. It would have been obvious to substitute the carbonate complex builder of FOSSUM et al for the sulphate complex builder of HEBBEL as their alternativeness is taught by FOSSUM et al. It would have been obvious to use the calcium salt (calcium carbonate) rather than the magnesium salt (Magnesium carbonate) as they are both alkaline earth metals and would be expected to be chemical equivalents. See HEBBEL column 3, line 34, for using calcium salts for the complex builder.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "kg/hp" is indefinite as "hp" is not a unit of concentration. Should this term be ""kg/tp"?

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Any inquiry concerning this communication or earlier communications from the **primary examiner** should be directed to **Steve Alvo** whose telephone number is (703) 308-2048. The Examiner can normally be reached on Monday - Friday from 6:00 AM - 2:30 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Stanley Silverman, can be reached on 703-308-3837.

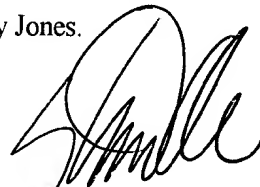
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Group receptionist** whose telephone number is (703) 308-0661.

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STEVE ALVO
PRIMARY EXAMINER
ART UNIT 1731

MSA
March 23, 2001